

**2014 CONFLICT OF INTEREST CODE  
BIENNIAL REVIEW REPLY FORM**

COUNTY OF SAN DIEGO

2014 SEP 23 AM 3 55

Contact Person: Julia Sansone Telephone Number: 619-557-4515

Name of Agency: San Diego Metropolitan Transit System

Mailing Address: 1255 Imperial Avenue, Suite 1000, San Diego, CA 92101

This agency has reviewed its conflict of interest code and has determined that:

☒ **Amendments are necessary:** (Attach Amended Code)  
(Check all that applies)

☒ Include new positions (including consultants) which must be designated

☒ Revise the titles of existing positions

☐ Delete titles of positions that have been abolished

☐ Delete positions that manage public investments

☒ Revise disclosure categories


☐ Other \_\_\_\_\_

☐ **No amendments are necessary.** Our agency's code accurately designates all positions which make or participate in the making of governmental decisions; the disclosure assigned to those positions accurately requires the disclosure of all investments, business positions, interests in real property and sources of income which may foresee-ably be affected materially by the decision made by those designated positions; and the code includes all other provisions required by Government Code Section 87302.

Signature of Chief Executive Officer:  Date: 9/22/17

You must complete this report regardless of how recently your code was approved or amended. **Please return this report no later than October 1, 2014 to:**

**Clerk of the Board of Supervisors  
(Conflict of Interest Code)  
1600 Pacific Highway, Room 402  
San Diego, CA 92101**

Approved and/or authorized by the Board of Supervisors of the County of San Diego.	
Meeting Date: <u>12/2/14</u>	Minute Order No. <u>23</u>
By: <u></u>	Date: <u>12/2/14</u>
Deputy Clerk of the Board Supervisors	



1255 Imperial Avenue, Suite 1000  
San Diego, CA 92101-7490  
(619) 231-1466 • FAX (619) 234-3407

September 22, 2014

Thomas J. Pastuszka  
Clerk of the Board of Supervisors  
County of San Diego  
(Conflict of Interest Code)  
1600 Pacific Highway, Room 402  
San Diego, CA 92101

Dear Mr. Pastuszka:

Enclosed, please find the 2014 Conflict of Interest Code Biennial Review Reply Form for the San Diego Metropolitan Transit System. Thank you.

Sincerely,

A handwritten signature in cursive script that reads 'Julia Sansone'.

Julia Sansone  
Executive Assistant/Clerk of the Board

enc.: 2014 Conflict of Interest Code Biennial Review Reply Form

cc: Karen Landers, General Counsel





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San Diego, CA 92101-7490  
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COUNTY OF SAN DIEGO  
2014 NOV 4 PM 3 08  
CLERK OF THE BOARD  
OF SUPERVISORS

October 31, 2014

Thomas J. Pastuszka  
Clerk of the Board of Supervisors  
County of San Diego  
1600 Pacific Highway, Room 402  
San Diego, CA 92101

Dear Mr. Pastuszka:

Enclosed please find the San Diego Metropolitan Transit System (MTS) amended Conflict of Interest Code, which was approved by the MTS Board of Directors on October 30, 2014.

Thank you.

Sincerely,

Julia Sansone  
Clerk of the Board

enc: Amended Conflict of Interest Code (Clean Copy)  
Amended Conflict of Interest Code (Legislative Copy)

c: Karen Landers, General Counsel



LAW OFFICES OF  
BEST BEST & KRIEGER LLP

**CONFLICT OF INTEREST CODE**

**OF THE**

**SAN DIEGO METROPOLITAN  
TRANSIT SYSTEM**

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**

(Amended October 30, 2014)

The Political Reform Act, (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730) that contains the terms of a standard model conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories shall constitute the conflict of interest code of the **San Diego Metropolitan Transit System (MTS)**.

All officials and designated positions shall file their statements of economic interests with MTS's **General Counsel** as MTS's Filing Officer. The **General Counsel** shall make and retain a copy of all statements filed by Members and Alternates of the Board of Directors, Chief Executive Officer and the Chief Financial Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **General Counsel** shall retain the originals of the statements filed by all other designated positions. The **General Counsel** will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## SAN DIEGO METROPOLITAN TRANSIT SYSTEM

(Amended October 30, 2014)

### PART "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

MTS Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to MTS's Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup>:

Board of Directors and Alternates

Chief Executive Officer

Chief Financial Officer

Investment Consultant

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

**DESIGNATED POSITIONS**  
**GOVERNED BY THE CONFLICT OF INTEREST CODE**

<b><u>DESIGNATED POSITIONS'</u></b> <b><u>TITLE OR FUNCTION</u></b>	<b><u>DISCLOSURE CATEGORIES</u></b> <b><u>ASSIGNED</u></b>
Administrative Assistant/Copy Center Coordinator	4
Advertising Specialist	5
Applications Development Manager	5
Assistant Chief Technology Officer	5
Assistant Manager of Maintenance	5
Assistant Manager of Stores	5
Assistant Right-of-Way Agent	1, 2
Assistant Transportation Operations Specialist	2, 5
Budget Manager	1, 2
Business Systems Analyst	5
Buyer	4
Capital Grants Supervisor	2, 4
Chief of Staff	1
Chief Operating Officer – Rail	1
Chief Operating Officer – Transit Services	1
Chief Technology Officer	5
Communications Design Manager	5
Communications Designer	5
Controller	1, 2
Deputy Director of Transit Security	5

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BEST BEST & KRIEGER LLP

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Director of Financial Planning & Analysis	1, 2
Director of Fleet and Facility Maintenance	5
Director of Human Resources and Labor Relations	5
Director of Marketing & Communications	5
Director of Transit Operations	1
Director of Transit System Security	5
ERP Project Manager	4
Facilities Manager	5
Financial Analyst	4
General Counsel	1, 2
Human Resources Supervisor	5
Internal Auditor	4
Liability Claims Supervisor	1, 2, 7
Manager of BRT and East County Operations	8
Manager of Capital Projects	1, 2
Manager of Human Resources	5
Manager of Maintenance	5
Manager of Marketing	5
Manager of Paratransit Operations	5
Manager of Planning	1, 2
Manager of Procurement	4



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BEST BEST & KRIEGER LLP

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Manager of Real Estate Assets	1, 2
Manager of Risk and Claims	1, 2, 7
Manager of Scheduling	5
Manager of South Bay Operations	8
Manager of Support Services	2, 3, 5
Materials Manager	4
Network Operations Manager	5
Procurement Specialist	4
Project Engineer, MTS Rail	1, 2
Quality Assurance Supervisor	5
Regulatory Enforcement Supervisor	6
Revenue Maintenance Supervisor	5
Revenue Manager (ALL)	5
Revenue Supervisor	5
Right-of-Way Engineer	1, 2
Senior Transit Planner/Rail Operations Analyst	5
Senior Transportation Planner	1, 2
Superintendent of LRV Maintenance	5
Superintendent of Transportation	5
Superintendent of Wayside Maintenance	5
Systems Engineer	1, 2

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Taxicab Administration Manager	5
Transit Asset Administrator	4
Worker's Compensation Analyst	7
Consultant and New Positions <sup>2</sup>	

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<sup>2</sup> Individuals serving as a Consultant defined in Regulation 18701, or in a new position created since this Code was last amended that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

The Chief Executive Officer may determine that, due to the range of duties or contractual obligations, it is more appropriate to assign a limited disclosure requirement. A clear explanation of the duties and a statement of the extent of the disclosure requirements must be in a written document. (Gov. Code Sec. 82019; FPPC Regulations 18219 and 18734.). The Chief Executive Officer's determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Gov. Code Sec. 81008.)

## **PART "B"**

### **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of MTS.

Category 1: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in or own real property within the jurisdiction of MTS.

Category 2: All interests in real property which is located in whole or in part within, or not more than two (2) miles outside, the jurisdiction of MTS.

Category 3: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are engaged in land development, construction or the acquisition or sale of real property within the jurisdiction of MTS.

Category 4: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by MTS.

Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

Category 6: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, subject to the regulatory, permit, or licensing authority of the designated position's department, unit or division.

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<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)

*LAW OFFICES OF*  
*BEST BEST & KRIEGER LLP*

Category 7: All investments and business positions in business entities, and sources of income, including gifts, loans, and travel payments, if such entities or sources have filed claims against MTS in the past 2 years, or have a claim pending before MTS.

Category 8: Disclose investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that are located in, do business in, or own real property within the geographical area of, and within two miles of, the designated position's assigned project area.

**LEGISLATIVE VERSION**  
**(SHOWS CHANGES MADE)**

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**SAN DIEGO METROPOLITAN**  
**TRANSIT SYSTEM**

**CONFLICT OF INTEREST CODE**  
**OF THE**  
**SAN DIEGO METROPOLITAN TRANSIT SYSTEM**

(Amended ~~September 20, 2012~~ October 30, 2014)

The Political Reform Act, (Government Code Sections 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. 18730) that contains the terms of a standard model conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing Section 18730 may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This incorporation page, Regulation 18730 and the attached Appendix designating positions and establishing disclosure categories shall constitute the conflict of interest code of the **San Diego Metropolitan Transit System (MTS)**.

All officials and designated positions shall file their statements of economic interests with MTS's **General Counsel** as MTS's Filing Officer. The **General Counsel** shall make and retain a copy of all statements filed by Members and Alternates of the Board of Directors, Chief Executive Officer and the Chief Financial Officer, and forward the originals of such statements to the Clerk of the Board of Supervisors of the County of San Diego. The **General Counsel** shall retain the originals of the statements filed by all other designated positions. The **General Counsel** will make all retained statements available for public inspection and reproduction during regular business hours (Gov. Code Section 81008).

# APPENDIX

## CONFLICT OF INTEREST CODE

### OF THE

## SAN DIEGO METROPOLITAN TRANSIT SYSTEM

(Amended September 20, 2012October 30, 2014)

### EXHIBIT PART "A"

#### OFFICIALS WHO MANAGE PUBLIC INVESTMENTS

MTS Officials who manage public investments, as defined by 2 Cal. Code of Regs. § 18701(b), are NOT subject to MTS's Code, but must file disclosure statements under Government Code section 87200 et seq. [Regs. § 18730(b)(3)] These positions are listed here for informational purposes only.

It has been determined that the positions listed below are officials who manage public investments<sup>1</sup>:

Board of Directors and Alternates

Chief Executive Officer

Chief Financial Officer

Investment Consultant

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<sup>1</sup> Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by § 87200.

## DESIGNATED POSITIONS

### GOVERNED BY THE CONFLICT OF INTEREST CODE

<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Administrative Assistant/Copy Center Coordinator	4
Advertising Specialist	5
Applications Development Manager	5
Assistant <del>Store</del> Manager <u>of Stores</u>	5
Assistant <u>Chief</u> Technology Officer	5
<u>Assistant Manager of Maintenance</u>	<u>5</u>
Assistant Transportation Operations Specialist	2, 5
Budget Manager	1, 2
Business Systems Analyst	5
Buyer	4
<u>Capital Grants Supervisor</u>	<u>2, 4</u>
Chief of Staff	1
Chief Operating Officer – Rail	1
Chief Operating Officer – Transit Services	1
Chief Technology Officer	5
Communications Design Manager	5
Communications Designer	5
<del>Contract Services Administrator</del> <u>Manager of</u> <u>Paratransit Operations</u>	5
Controller	1, 2



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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Deputy Director — <u>of Transit System Security</u>	5
Director of Financial Planning & Analysis	1, 2
Director of Human Resources and Labor Relations	5
Director of <u>Fleet and Facility Maintenance</u>	5
Director of Marketing & Communications	5
<del>Director</del> <u>Manager</u> of Planning	1, 2
<del>Director</del> <u>Manager</u> of Scheduling	5
Director of <del>Transportation</del> <u>Transit Operations</u>	1
<u>ERP Project Manager</u>	<u>4</u>
Facilities Manager	5
<u>Financial Analyst</u>	<u>4</u>
General Counsel	1, 2
Human Resources Supervisor	5
Internal Auditor	4
Liability Claims <del>Adjuster</del> <u>Supervisor</u>	1, 2, <u>7</u>
<u>Manager of BRT and East County Operations</u>	<u>8</u>
Manager of Capital Projects	1, 2
Manager of <del>Claims and Liability</del> <u>Risk and Claims</u>	1, 2, <u>7</u>
Manager of Human Resources	5
<u>Manager of Maintenance</u>	<u>5</u>
Manager of Marketing	5

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Manager of Procurement	4
Manager of Real Estate Assets	1, 2
<u>Manager of South Bay Operations</u>	<u>8</u>
Materials Manager	4
<del>MTS Chief of Police/Director of Security</del> <u>Director of</u> <u>Transit System Security</u>	5
Network Operations Manager	5
Procurement Specialist	4
<u>Project Engineer, MTS Rail</u>	<u>1, 2</u>
<u>Quality Assurance Supervisor</u>	<u>5</u>
Regulatory Enforcement Supervisor	6
Revenue Maintenance Supervisor	5
Revenue Manager (ALL) [position modified creating Supervisor]	5
<u>Revenue Supervisor</u>	<u>5</u>
<u>Assistant Right-of-Way Agent</u>	1, 2
Right-of-Way Engineer	1, 2
<del>Senior Transit Operations Specialist</del> <u>Planner/Rail</u> <u>Operations Analyst</u>	5
Senior Transportation Planner	1, 2
Superintendent of LRV Maintenance	5
Superintendent of Transportation	5
Superintendent of Wayside Maintenance	5

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<u>DESIGNATED POSITIONS'</u> <u>TITLE OR FUNCTION</u>	<u>DISCLOSURE CATEGORIES</u> <u>ASSIGNED</u>
Systems Engineer	1, 2
Taxicab Administration Manager	5
<del>Transit Services Administrator</del> <u>Manager of Support Services</u>	2, 3, 5
<u>Transit Asset Administrator</u>	<u>4</u>
<u>Worker's Compensation Analyst</u>	<u>7</u>

Consultant and New Positions<sup>2</sup>

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<sup>2</sup> Individuals serving as a Consultant defined in Regulation 18701, or in a new position created since this Code was last amended that makes or participates in making decisions shall disclose pursuant to the broadest disclosure category in this Code subject to the following limitation:

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## **EXHIBIT PART "B"**

### **DISCLOSURE CATEGORIES**

The disclosure categories listed below identify the types of economic interests that the designated position must disclose for each disclosure category to which he or she is assigned.<sup>3</sup> Such economic interests are reportable if they are either located in or doing business in the jurisdiction, are planning to do business in the jurisdiction, or have done business during the previous two years in the jurisdiction of MTS.

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Category 5: All investments and business positions in business entities, and sources of income, including gifts, loans and travel payments, that provide services, products, materials, machinery, vehicles or equipment of a type purchased or leased by the designated position's department, unit or division.

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<sup>3</sup> This Conflict of Interest Code does not require the reporting of gifts from outside this agency's jurisdiction if the source does not have some connection with or bearing upon the functions of the position. (Reg. 18730.1)

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